STATEMENT REGARDING ORDINANCE

Indian Council of World Affairs (Second) Ordinance, 2001

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI OMAR ABDULLAH): Sir, on behalf of SHRI JASWANT SINGH I lay on the Table a statement (in English and Hindi) explaining the circumstances which had necessitated immediate legislation by the Indian Council of World Affairs (Second) Ordinance, 2001.

STATUTORY RESOLUTION

SEEKING APPROVAL OF PROCLAMATION ISSUED IN RELATION TO THE STATE OF MANIPUR

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI) : Mr. Chairman, Sir, I rise to move:

> "That this House approves the Proclamation issued by the President on the 2nd June, 2001 under article 356 of the Constitution in relation to the State of Manipur."

Sir, if I recall right, in the last three-and-a-half years of this Government, this is the second occasion when I have risen in this House to move a Motion of this kind. The first time was in relation to Goa; and, now, this is in relation to Manipur. In the other House, there were three occasions when such a Motion was moved. The third Motion relating to Bihar was passed by the other House, but was later revoked by the Government, and, therefore, it was not brought here. This particular provision of the Constitution, that is, article 356, is a kind of sequel to article 355. Article 355 imposes a duty on the Union Government to ensure that the Government of a State is carried on in accordance with the Constitution. If a Government is not being carried on in accordance with the Constitution, article 356 arms it with the requisite powers to see that appropriate action is taken, and Parliament is able to ensure that the Government of the State is carried on in accordance with the Constitution. This is one of the most important provisions which bears upon the Centre-State relations. In fact, when it was first adopted in the Constituent Assembly, many pointed out that in a federal structure, such a provision was rare. It was almost non-existent. But the Constituent Assembly, considering all aspects of the problem, came to the conclusion that, in India, it was necessary, though it should be used sparingly. In 1983, the then Prime Minister, Shrimati